

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS  
WAS HELD JANUARY 20, 1998 AT 12:00 P.M. IN WARRENTON, VIRGINIA.

P R E S E N T    Mr. David C. Mangum, Chairman; Mr. Larry L. Weeks, Vice  
Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr.  
James A. Rankin; Mr. G. Robert Lee, County Administrator; Mr.  
Paul S. McCulla, County Attorney

#### PROPOSED OPEN BURNING ORDINANCE AMENDMENT / SERVICE DISTRICTS

The Board of Supervisors received information from the County Attorney's office  
on proposed amendments to the Open Burning Ordinance.

#### PRESENTATION OF FAUQUIER COUNTY PUBLIC LIBRARY ANNUAL REPORT (FY '97)

The Library Board presented its Annual Report to the Board of Supervisors.

#### SOIL AND EROSION PROGRAM UPDATE

The Board of Supervisors received the John Marshall Soil and Water  
Conservation District's yearly report.

#### FIRE & RESCUE BUDGET MEETING FOR FY98 AND FY99

The Board of Supervisors received a report from the Finance Department  
regarding the Fire and Rescue Association Fund for Fiscal Year 1998 and the proposed  
Fiscal Year 1999 budget.

#### CAPITAL IMPROVEMENTS PLAN FOR FY 1999-2004

The Board of Supervisors received a report from the Planning Commission and  
Community Development Staff regarding the recommended Capital Improvements  
Program (CIP) for Fiscal Year 1999-2004.

#### COMMUNITY SERVICES BOARD WORK SESSION ON DIDLAKE TRANSPORTATION

Didlake, Inc. reviewed the impact that the transportation funding reductions will  
have on its participants.

#### AUDITORS WORK SESSION FOR PRESENTATION OF FY97 ANNUAL REPORT

The auditors, Robinson, Farmer & Cox, presented the Fiscal Year 1997 Annual  
Report to the Board of Supervisors.

#### HELMICK SITE VISIT

A site visit was held to view the proposed location of a requested special  
exception by Melvin and Myrtle Helmick for an alternative wastewater system.

The meeting reconvened in regular session at 6:30 p.m. in the Warren  
Green Building.

#### ADOPTION OF THE AGENDA

Mr. Weeks moved to adopt the agenda as presented. Mr. Green seconded, and  
the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

## CITIZENS TIME

Bruce Jamison, Pastor John Chadsey, Jamie Kent, Gary Oliveri and Beth Chadsey spoke regarding the Family Shelter and its importance to the County and its residents.

## CITIZENS OF THE YEAR

Chairman Mangum indicated that, due to recent surgery, William (Doc) Plummer from Scott District would receive his plaque at a later time.

Mr. Green presented the Marshall District's Citizens of the Year awards to Benny and Jenny Atkins (due to Mr. Atkins' recent illness, the award was accepted by their son, Benji Atkins), the Lloyd Newton and Dorothy Showers Shiflett Family; the Lavinia Showers Woods Family, and the Dorothy Atkins Showers Family.

Mr. Rankin presented the Center District Citizen of the Year award to Mr. Charles E. Hall, Jr.

Mr. Burton presented the Cedar Run District Citizen of the Year award to Ms. Margaret Lee Armstrong.

Mr. Mangum presented the Lee District Citizen of the Year award to Mr. Harold D. Berry.

## CONSENT AGENDA

Mr. Burton moved to adopt the following Consent Agenda items. Mr. Weeks seconded, and the vote for the motion was 4-0 as follows:

Ayes: Mr. David C. Mangum; Mr. Wilbur W. Burton; Mr. James A. Rankin; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: Mr. James R. Green, Jr.  
Abstention: None

Minutes of the January 6, 1998 Board of Supervisors Meeting

Resolution Authorizing County Administrator to Execute the Airport Improvement Program Grant Master Agreement

## RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AIRPORT IMPROVEMENT PROGRAM GRANT MASTER AGREEMENT

WHEREAS, the Federal Aviation Administration (FAA) is endeavoring to reduce the volume and redundancy of paperwork and to increase the effectiveness and efficiency of the Airport Improvement Program grant process; and

WHEREAS, the FAA has revised the grant application and grant offer process

and is introducing the Airport Improvement Program Grant Master Agreement; and

WHEREAS, a Master Agreement will be established between each sponsor and the FAA and will contain the grant assurances, general conditions, and typical special conditions previously included in each grant agreement, thereby eliminating the need to attach them to every grant agreement; and

WHEREAS, the Master Agreement will be incorporated into every grant agreement by reference; and

WHEREAS, any future revisions to the Master Agreement will required the sponsor's signed acceptance; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of January 1998, That the County Administrator be, and is hereby, authorized to execute the Airport Improvement Program Grant Master Agreement.

A Resolution in Support of an Increase to the Minimum Funding Levels for Planning District Commissions

#### RESOLUTION

A RESOLUTION IN SUPPORT OF AN INCREASE TO THE MINIMUM FUNDING LEVELS FOR PLANNING DISTRICT COMMISSIONS

WHEREAS, the Rappahannock-Rapidan Planning District Commission receives the minimum annual funding for Planning District Commissions from the Commonwealth of Virginia of \$40,687; and

WHEREAS, the minimum, which has not been increased in nine years, should be updated so that the Rappahannock-Rapidan Planning District Commission can continue its worthy activities that enhance the prosperity of the region and assist the efficiency of services of the local governments and the Commonwealth of Virginia; and

WHEREAS, the Joint Legislative Audit and Review Committee (JLARC) study of PDC's in 1995 recommended that the General Assembly "consider increasing the minimum funding amount to a PDC"; and

WHEREAS, the Virginia Association of Planning District Commissions has proposed to increase the minimum funding for PDC's to \$100,000 per year or \$0.35 per capita, whichever is greater; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of January 1998, That the Board does hereby support an increase in the minimum funding levels for Planning District Commissions; and, be it

RESOLVED FURTHER, That the Board of Supervisors does hereby request that Senator R. Edward Houck, District 17; Senator Emily Couric, District 25; Senator Kevin G. Miller, District 26; Senator H. Russell Potts, Jr., District 27; Delegate John J. Davie III, District 30; Delegate Jay Katzen, District, 31; and Delegate Joe T. May, District 33 support a budget amendment to increase minimum funding to PDC's to \$100,000 or \$0.35 per capita, whichever is greater.

A Resolution to Amend the Professional Services Agreement with Campbell & Paris Engineers, P.C. to Include Task 3, Phase II Land Acquisition for Warrenton-Fauquier Airport

#### RESOLUTION

A RESOLUTION TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH CAMPBELL & PARIS ENGINEERS, P.C., TO INCLUDE TASK 3, PHASE II LAND ACQUISITION FOR WARRENTON-FAUQUIER AIRPORT

WHEREAS, on December 20, 1995, the County of Fauquier entered into an agreement with Campbell & Paris Engineers, P.C., for professional services for the Warrenton-Fauquier Airport; and

WHEREAS, the acquisition by Fauquier County of approximately 160 acres of property located adjacent to the Warrenton-Fauquier Airport, for the purpose of expansion of and improvements to the Airport, is in process; and

WHEREAS, the Warrenton-Fauquier Airport Committee unanimously recommends that Campbell & Paris Engineers, P.C., provide the required professional services to assist in the land acquisition process; and

WHEREAS, Section 1.2 of the aforesaid Agreement with Campbell & Paris Engineers, P.C., provides that each project assignment for which the Agreement is in force shall be described in detail as a separate Task Order; and

WHEREAS, Campbell & Paris Engineers, P.C., has prepared and submitted Contract Addendum Task Order 3 for Phase II Land Acquisition, with the total amount of Task 3 not to exceed the sum of \$122,080; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of January 1998, That Task Order 3, Phase II Land Acquisition for the Warrenton-Fauquier Airport be, and is hereby, approved; and, be it

RESOLVED FURTHER, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to sign Task Order 3 on behalf of Fauquier County.

A Resolution to Revise Personnel Policy Section #2, Leave Paragraph XXIV, Leave Without Pay, and Paragraph XXXIV, Civil Leave.

#### RESOLUTION

A RESOLUTION TO REVISE PERSONNEL POLICY SECTIONS #2, LEAVE PARAGRAPH XXXV, COMPENSATORY LEAVE/OVERTIME PAY AND PARAGRAPH XXXVI, RECIPROCAL SERVICE AND PRIOR CREDIT

WHEREAS, the Department of Personnel Services periodically reviews certain Personnel Policies to ensure that they are meeting the objectives of the County and the needs of the County employees; and

WHEREAS, the Department of Personnel Services conducted such a review of these policies; and

WHEREAS, based upon the review, it is recommended that these policy revisions reflect procedural and administrative changes which include notifying the County Administrator when an employee accumulates 120 hours or more of compensatory time; and

WHEREAS, notifying the County Administrator when an employee accumulates 240 hours or more of compensatory time for employees in law enforcement or fire protection activities; and

WHEREAS, reciprocal service and prior credit, which was approved by the Board of Supervisors June 3, 1997, is included into this policy; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of December 1997, That the revisions made in Personnel Policy, Section #2 Leave be, and are hereby, approved; and, be it

RESOLVED FURTHER, That the effective date of these revisions be December 1, 1997; and, be it

RESOLVED FINALLY, That the County Administrator be, and is hereby, directed to administer this revised policy and changes in accordance with applicable Fauquier County policies and procedures.

A Resolution to Authorize Filling a Vacant County Funded Position During the Hiring Freeze

#### RESOLUTION

A RESOLUTION TO AUTHORIZE FILLING ALL VACANT COUNTY FUNDED POSITIONS DURING A HIRING FREEZE

WHEREAS, on October 21, 1997, the Board of Supervisors approved a hiring freeze for all County funded positions, in an effort to create a dollar savings impact on FY98 and FY99 budgets; and

WHEREAS, the Board of Supervisors established a process for re-filling critical positions by requesting departments to present proper justification and budget implications to the Personnel Committee and the Finance Committee prior to approval of the Board of Supervisors; and

WHEREAS, the County Administrator has reviewed the vacant position and made the appropriate recommendation; and

WHEREAS, the established process was followed with favorable recommendations from both committees for the listed position:

1 Deputy Clerk II - Clerk of the Circuit Court

now; therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of January, That this vacancy is approved for filling; and, be it

RESOLVED FURTHER, That the effective date of this approval be January 20, 1998.

A Resolution Calling on the 1998 Virginia General Assembly to Continue Funding Patient Care at Piedmont Geriatric Hospital

#### RESOLUTION

A RESOLUTION CALLING ON THE 1998 VIRGINIA GENERAL ASSEMBLY TO CONTINUE FUNDING PATIENT CARE AT PIEDMONT GERIATRIC HOSPITAL

WHEREAS, the proposed state budget for the upcoming biennium does not include funding for Piedmont Geriatric Hospital past the end of fiscal year 1998-99; and

WHEREAS, Piedmont Geriatric Hospital has a long history of exemplary service

to the citizens of the Commonwealth, many of whom have required the specialized services that Piedmont alone has and continues to be able to deliver; and

WHEREAS, Piedmont Geriatric Hospital is a fully functioning hospital serving the needs of geriatric patients with moderate to severe mental illness by utilizing skilled medical personnel and state-of-the-art evaluation and diagnostic services and is not comparable to privately operated nursing homes; and

WHEREAS, Piedmont Geriatric Hospital, recognized by Virginia's medical community as a leader in gero-psychiatric medicine and research, has and continues to serve the Commonwealth in the training of health care providers that enable geriatric and psychiatric institutions to better serve citizens across the state and nation; and

WHEREAS, a recent review by the Joint Commission of Accredited Health Care Organizations, which is an independent accreditation organization, gave Piedmont Geriatric Hospital an excellent rating in excess of ninety percent and cited no deficiencies in either patient care or building suitability; and

WHEREAS, the Commonwealth has yet to devise a medically superior, more compassionate alternative to those citizens in need of the unique care that Piedmont provides; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 20th day of January 1998, That it respectfully requests the Governor, the members of the Virginia State Senate and the members of the Virginia House of Delegates to return adequate funding through and beyond the abovementioned budget period for continued operation of Piedmont Geriatric Hospital so that the special needs of the Commonwealth's elderly citizens with mental illness may be guaranteed.

A Resolution to Authorize the Hiring of Litigation Counsel for Airport Expansion Project

#### RESOLUTION

A RESOLUTION AUTHORIZING HIRING OF LITIGATION COUNSEL IN THE MATTER OF FAUQUIER COUNTY VERSUS GORDON KINCHELOE, TRUSTEE AND FAUQUIER COUNTY VERSUS MARY KINCHELOE, TRUSTEE

WHEREAS, the Board of Supervisors of Fauquier County has adopted a Master Plan for the development of the Warrenton-Fauquier Airport; and

WHEREAS, the Master Plan for the Warrenton-Fauquier Airport includes a two phase expansion plan which plan provides for the acquisition of portions of real property owned by Mary Kincheloe, Trustee and Gordon Kincheloe, Trustee; and

WHEREAS, the Board of Supervisors has authorized by previously adopted resolution the acquisition of the real property necessary for the expansion from Mary Kincheloe, Trustee and Gordon Kincheloe, Trustee; and

WHEREAS, the Board of Supervisors has by previously adopted resolution authorized the acquisition of the aforesaid real property by either purchase agreement or, if no agreement can be reached, by eminent domain; and

WHEREAS, the Federal Aviation Administration (FAA) and Virginia Department of Aviation (VDA) will pay ninety-eight percent of all reasonable acquisition costs, including the cost of legal services for litigation to acquire the real property; and

WHEREAS, upon recommendation of the County Attorney, the Airport Committee of the Board of Supervisors on January 12, 1998 voted unanimously to

recommend that the Board of Supervisors authorize the County Attorney to employ legal counsel with an expertise in eminent domain litigation to render services relating to the acquisition of the aforesaid real property; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 20th day of January 1998, That the County Attorney be, and is hereby, authorized to employ legal counsel with an expertise in eminent domain litigation to render legal services relating to the acquisition of the real property owned by Mary Kincheloe, Trustee and Gordon Kincheloe, Trustee necessary for the expansion of the Warrenton-Fauquier Airport; and, be it

RESOLVED FURTHER that the cost of the aforesaid legal counsel shall be paid from the Airport Enterprise Fund subject to reimbursement from the FAA and VDA.

A Resolution to Authorize the County Administrator to Advertise a Public Hearing to Consider a Request from the Mosby Heritage Area Association to Request the Commonwealth Transportation Board to Establish a Transportation Enhancement Improvement Project for the Mosby Heritage Area Signage Project

#### RESOLUTION

A RESOLUTION TO REQUEST THE BOARD OF SUPERVISORS AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER A REQUEST FROM THE MOSBY HERITAGE AREA ASSOCIATION TO REQUEST THE COMMONWEALTH TRANSPORTATION BOARD TO ESTABLISH THE MOSBY HERITAGE AREA SIGNAGE PROJECT

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request, by resolution, be received from the local government or state agency in order that the Virginia Department of Transportation program an enhancement project in the County of Fauquier; and

WHEREAS, the John Singleton Mosby Heritage Area was designated in 1995 in order to increase public knowledge and appreciation of the rich scenic, historic, and natural qualities that distinguish this region and to further heritage tourism as an economic base; and

WHEREAS, the Mosby Heritage Area is generally bordered by natural features, including the Shenandoah River to the west, and historic travel ways and covering much of the counties of Fauquier, Loudoun, Clarke, Warren, and Prince William; and

WHEREAS, the Mosby Heritage Area's educational and promotional projects are designed to cover varied aspects of the region's cultural, economic, and political history which are vividly illustrated in this living museum of our past; and

WHEREAS, the Mosby Heritage Area has completed the following:

- Published a three foot by three foot map recording the major historical sites in the five county area;

- Created an audio tape: Prelude to Gettysburg: the Battles of Aldie, Middleburg, and Upperville by Robert O'Neill and introduced by Willard Scott;

- Created a self-guided auto tour: Drive Through History;

- Established a lecture series;

- Compiled a bibliography of historic resources for the Mosby Heritage Area;

- Participated in educational projects with schools and other

community groups;

Participated in Virginia's Heritage Month; and

WHEREAS, the Mosby Heritage Area Association is requesting the Commonwealth Transportation Board to establish a transportation enhancement project for the Mosby Heritage Area Signage Project; and

WHEREAS, the Mosby Heritage Area Signage Project will include the development of a simple, dynamic logo and the design and installation of signs designating the boundary lines of the Area, specified historical towns and villages, and specific sites throughout the Area; and

WHEREAS, the Mosby Heritage Area Signage Project will increase the public's recognition and knowledge of the Area and sites within, acknowledge the educational, historical, and environmental value of the Area, increase the number of tourists that visit the Area, significantly increase revenues generated through tourism, increase employment opportunities, and stimulate private investment in historic preservation and tourism related business; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 20th day of January 1998, That the County Administrator be, and is hereby, authorized to advertise a public hearing to consider a request from the Mosby Heritage Area Association to request the Commonwealth Transportation Board to establish a transportation enhancement improvement project for the Mosby Heritage Area Signage Project.

A Resolution to Authorize the County Administrator to Advertise a Public Hearing to Consider Requesting the Commonwealth Transportation Board to Establish a Transportation Enhancement Improvement Project for the Salem Meetinghouse Project

#### RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE  
A PUBLIC HEARING TO CONSIDER REQUESTING THE COMMONWEALTH  
TRANSPORTATION BOARD TO ESTABLISH A TRANSPORTATION ENHANCEMENT  
IMPROVEMENT PROJECT FOR THE SALEM MEETINGHOUSE PROJECT

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that the Virginia Department of Transportation program an enhancement project in the County of Fauquier; and

WHEREAS, the Fauquier Heritage Society was established in 1993 to discover, procure, and preserve whatever may relate to the history of Fauquier County, Virginia and to the genealogy of Fauquier County families; and to educate and disseminate this knowledge to local residents, students, and to the general public; and

WHEREAS, the Olde Salem-Marshall Preservation Foundation, Inc. was established to protect and preserve historical sites and structures in and near the village of Marshall, Fauquier County, Virginia, and to encourage other like-minded individuals and organizations to participate toward that end; and

WHEREAS, the Olde Salem-Marshall Preservation Foundation, Inc. is the owner of the property on which the Salem Meetinghouse is located; and

WHEREAS, the Marshall and Fauquier County community supports the



efforts of the Olde Salem-Marshall Preservation Foundation and the Fauquier Historical Society's efforts to preserve and restore the Salem Meetinghouse and establish a home for the Fauquier Historical Society and visitors center; and

WHEREAS, the Olde Salem-Marshall Preservation Foundation and the Fauquier Historical Society are requesting the Commonwealth Transportation Board to establish a transportation enhancement project for the Salem Meetinghouse Project; and

WHEREAS, the Salem Meetinghouse Project will include the restoration of the existing building, the installation of historical markers, landscaping the property, building parking spaces, development of plans for the visitors' center, research center, and additions for meeting space, and the continuing restoration, preservation, and stabilization of the structure; and

WHEREAS, the Salem Meetinghouse Project will increase the public's recognition and knowledge of the history and importance of the region and the Salem Meetinghouse, acknowledge the educational, historical, and environmental value of the area, preserve and restore the Salem Meetinghouse and site, increase the number of tourists that visit the area, significantly increase revenues generated through tourism, increase employment opportunities, and stimulate private investment in historic preservation and tourism related business; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 20th day of January 1998, That the County Administrator be, and is hereby, authorized to advertise a public hearing to consider requesting the Commonwealth Transportation Board to establish a transportation enhancement improvement project for the Salem Meetinghouse Project.

#### SPECIAL EXCEPTION - HELMICK ALTERNATIVE WASTEWATER SYSTEM

A public hearing was held at the November 18, 1997 Board of Supervisors meeting to consider a request for special exception from Melvin K. and Myrtle Helmick to allow an alternative wastewater disposal system to serve a proposed individual residence on 1.0834 acres. The property is located on Stuart Circle and Baldwin Ridge Road and is Lot 37 of Marstella Estates, PIN #7905-22-5383-000, New Baltimore Service District, Scott District. Mr. Weeks moved to table the decision until February 3, 1998. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS TO EXECUTE A DEED DONATING LOTS 11 AND 12 AND A PORTION OF LOTS 18 AND 6B OF THE FLETCHER SUBDIVISION TO THE FAUQUIER FAMILY SHELTER SERVICES, INC.

A public hearing was held at the December 16, 1997 meeting to consider donating Lots 11 and 12 and a portion of lots 18 and 6B of the Fletcher Subdivision to the Fauquier Family Shelter Services, Inc.. The property is located on Lee Street, in the Town of Warrenton, PIN #6984-23-9721, #6984-23-9669 and a portion of #6984-23-9821 and #6894-33-0805, Center District. Mr. Rankin moved to table this item until February 3, 1998. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

PROPOSED BOUNDARY LINE ADJUSTMENT BETWEEN STAFFORD COUNTY  
AND FAUQUIER COUNTY

A public hearing was held to consider a boundary adjustment between Fauquier and Stafford Counties. A presentation of the proposed boundary line adjustment was made to the Board of Supervisors by Henry C. Day, Esquire. Mr. Day indicated that the boundary line between the counties has been questionable between both Fauquier County and Stafford County Commissioners of Revenue for quite some time. Mr. Day also indicated that the Stafford County Board of Supervisors unanimously approved the boundary adjustment at its December 16, 1997 meeting. No one spoke. The public hearing was closed. Mr. Burton moved to adopt the following resolution. Mr. Rankin seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

R E S O L U T I O N

A RESOLUTION TO AUTHORIZE THE ADJUSTMENT  
OF THE BOUNDARY LINE BETWEEN FAUQUIER  
AND STAFFORD COUNTIES

WHEREAS, there has been uncertainty for many years over the location of the boundary between Fauquier and Stafford Counties in the vicinity of the head waters of Deep Run; and

WHEREAS, both Counties desire to clarify the boundary by reference to a known geographic point; and

WHEREAS, two property owners have requested slight adjustments to the boundary line near Deep Run in order to include all of their property in one County; and

WHEREAS, Fauquier and Stafford Counties have jointly identified a section of the boundary, wherein adjustment of the existing boundary is desirable to accomplish such purposes; and

WHEREAS, a proposed agreement has been prepared to settle the beginning point of the boundary and to adjust the boundary by including all of the Haddock property in Fauquier County and all of the Lake Stafford Farms property in Stafford County; and

WHEREAS, the Board has conducted a public hearing on the adjustment of the boundary line and now desires to approve the agreement to settle and adjust the boundary line; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 20th day of January 1998, That the Chairman of the Board of Supervisors be, and is hereby, authorized to execute the "Boundary Adjustment Agreement Between Stafford County, Virginia, and Fauquier County, Virginia 1998" as developed by the respective County Attorney's Offices and said agreement is hereby approved to effect the boundary line

adjustment and confirmation between Fauquier and Stafford Counties; and, be it

RESOLVED FURTHER, That the Fauquier County Attorney's Office be, and is hereby, authorized to join with the Stafford County Attorney's Office in the filing and the processing of a petition in the Circuit Court of either Fauquier or Stafford Counties to effect the boundary adjustment pursuant to the requirements of Virginia law.

ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 10, NONCONFORMITIES,  
SECTION 101

A public hearing was held to consider a Zoning Ordinance Text Amendment to Article 10, Nonconformities, Section 101 to add Paragraph 3. The requested

amendment would allow existing uses on federally or state owned properties to be declared as nonconforming uses when subject to the requirements of the Fauquier County Zoning Ordinance. Owen Bludau spoke in favor of the amendment. No one else spoke. The public hearing was closed. Mr. Burton moved to adopt the following ordinance to allow the special exception. Mr. Rankin seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Wilbur W. Burton; Mr. James  
R. Green, Jr.; Mr. James A. Rankin; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

ORDINANCE

ZONING ORDINANCE TEXT AMENDMENT  
TO AMEND ARTICLE 10, NONCONFORMITIES,  
SECTION 101 OF THE ZONING ORDINANCE BY ADDING PARAGRAPH 3

WHEREAS, the Fauquier County Zoning Ordinance, Article 10, Section 101 does not currently address existing uses on previously owned Federal or State properties; and

WHEREAS, the Fauquier County Board of Supervisors has held a public hearing regarding this matter; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 20th day of January 1998, That the Article 10 of the Fauquier County Zoning Ordinance, be, and is hereby, amended as follows:

ARTICLE 10, NONCONFORMITIES, SECTION 101 by adding paragraph 3 to read as follows:

The last federal or state use made on any Federally or State owned facility shall at the time the use becomes subject to the requirements of this Ordinance be deemed a nonconforming use.

SPECIAL EXCEPTION - ARDMORE BED AND BREAKFAST

A public hearing was held to consider a special exception request from Arthur R., Jr. and Marion H. Seder, Owner, and Terry Moffat, Applicant, to allow for the operation of a bed and breakfast. The property is located in an Agricultural and Forestal District on Crest Hill Road (Route 647) north of its intersection with Leeds Manor Road (Route 688), near Jerrys Shop, PIN #6937-32-5112-000; Marshall District. Terry Moffat and Jim Seder spoke in favor of the special exception request. No one else spoke. The

public hearing was closed. Mr. Green moved to adopt the following resolution to approve the special exception request. Mr. Rankin seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

#### RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION  
REQUEST #SE97-M-22  
ARDMORE-BED AND BREAKFAST

WHEREAS, the owners, Arthur R., Jr. and Marion H. Seder, and the applicant, Terry Moffat, are requesting a special exception to operate a bed and breakfast; and

WHEREAS, the Special Exception Application of Arthur R., Jr. and Marion H. Seder and Terry Moffat has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board finds that the standards of Article 5 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on December 18, 1997 on this special exception request and recommended approval; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 20th day of January 1998, That Special Exception #SE97-M-22, Ardmere Bed and Breakfast (PIN 6937-32-5112-000), be and is hereby, approved subject to the following conditions:

1. Special exception approval to operate a bed and breakfast shall be granted specifically for the parcel identified by PIN 6937-32-5112-000 and shall be limited to the existing main house, guest house, and garage apartment as indicated on the plat prepared by James G. Butler, Jr.
2. There shall be no more than five (5) guest rooms occupied at any one time.
3. The applicant shall maintain at all times occupancy permits for all dwellings and guest units, Health Department approvals, and proof that State fire codes are met.
4. The applicant shall conform at all times to County Health Department regulations regarding wastewater disposal facilities, wells and other pertinent bed and breakfast and restaurant regulations.
5. Prior issuance of a zoning permit, the applicant shall obtain all necessary Health Department permits.
6. The exterior appearance of the buildings on the property shall not be altered from that of a dwelling or normal residential accessory structure.
7. The entrance shall meet all VDOT requirements.
8. A dustless surface waiver shall be granted with site plan approval.
9. The special exception shall expire three (3) years from the date of approval by the Board of Supervisors.

#### SPECIAL EXCEPTION - HUNTER'S HEAD RESTAURANT

A public hearing was held to consider a special exception request from Hunter's

Head, L.C., Owner/Applicant, to allow for the operation of a restaurant. The property is located on John Mosby Highway (Route 50) at its intersection with Lanham Street in the Village of Upperville, PIN #6054-95-8361-000, Marshall District. Elaine Donovan, Gail Engle, Brooke Middleton, Bill Rich, Pete Scamardo, Ralph Parker, Jim Stavan, Mark Thompson, Patricia Thomas, Phillip Thomas, and Jerry Chappell spoke in favor of the special exception. Harrison Simms, Westin Warren, Bush Nichols, Katie Anders, Courtney Anzen, Fred Zimmer, Ann Carter Zimmer, Helen McCarty, John Ross, Andrew Motion, Jill Davis, Leff Leffert, Joan Moore, Gail Dougherty, and Mary Marshall Hansen spoke in opposition of the special exception. The public hearing was closed. Mr. Green moved to table the decision until February 17, 1998 pending a visit to the site on February 3, 1998.

#### SUPERVISORS TIME

Mr. Weeks requested an update on the jail progress. J. Randall Wheeler, Deputy County Administrator reported that he and Colonel Warren Jenkins had met with the Jail Board to discuss modifications to the Access Agreement between Fauquier County, Clarke County, Frederick County, and the City of Winchester and was awaiting the modified agreement. Once the agreement is received, Mr. Wheeler will report back to the Board with his comments.

Mr. Green met with John Smedley, the Commissioner of Revenue for Warren County regarding boundary adjustments similar to those being made between Fauquier County and Stafford County.

Mr. Rankin would like for the Board of Supervisors to re-visit the proposed Family Shelter site on Lee Street with him before any action is taken on the request. This should be done on February 3, 1998.

Mr. Mangum indicated that he and Mr. Weeks had written a "Letter to the Editor" that he would like all Board of Supervisor members to review before it goes to the newspapers on Wednesday.

#### ANNOUNCEMENTS

G. Robert Lee reported that Chairman Mangum and Vice Chairman Weeks would be representing Fauquier County in Richmond on Friday, February 6, 1998, at the General Assembly's Counties, Cities and Towns Committee discussing House Bill 1362 regarding Fauquier County's special exception process.

There being no further business, the meeting was adjourned.

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